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Attorney for Defendant  
National Medical Services, Inc., D/B/A NMS Labs

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOANNE ELIZABETH CLEVELAND,  
CYNTHIA DANIELS, LAURA FIJISAWA,  
CAROLINE HOWE, AND TRACY MOORE

Plaintiff,

vs.

COMPASS VISION, INC., NATIONAL  
MEDICAL SERVICES, INC., D/B/A NMS  
LAB'S

Defendants.

AND RELATED CASE

DEBORAH WILSON,

Plaintiff,

vs.

COMPASS VISION, INC., NATIONAL  
MEDICAL SERVICES, INC., D/B/A NMS  
LAB'S

Defendants.

Case No. 3:07cv05642 BZ

**NATIONAL MEDICAL SERVICES,  
INC., D/B/A NMS LAB'S REQUEST TO  
APPEAR TELEPHONICALLY AT  
FURTHER CASE MANAGEMENT  
CONFERENCE**

**Date: September 15, 2008**

**Time: 3:00 p.m.**

**Dept.: G 15<sup>th</sup> Floor**

**Judge: Hon. Bernard Zimmerman**

Case No. 3:07cv03431 BZ

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

National Medical Services, Inc., d/b/a NMS Labs' (NMS) Counsel respectfully requests the Court's permission to appear telephonically at the Further Case Management Conference scheduled for September 15, 2008, at 3:00 p.m.

CASE NO.: 3:07cv05642 BZ

**NATIONAL MEDICAL SERVICES, INC., D/B/A NMS LAB'S REQUEST TO APPEAR  
TELEPHONICALLY AT FURTHER CASE MANAGEMENT CONFERENCE**

1 NMS' counsel can effectively participate in the Further Case Management Conference  
2 by telephone and no party will suffer prejudice or inconvenience as a result of such telephonic  
3 appearance. It should be noted that NMS' counsel appeared at the previously scheduled Case  
4 Management Conference by telephone.

5 DATED: September 5, 2008

6 LAW OFFICES OF SAMUEL G. GRADER

7  
8 By /S/ Christian Green

9 Christian Green

10 Attorneys for Defendant

11 National Medical Services, Inc., D/B/A NMS Labs  
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CASE NO.: 3:07cv05642 BZ

**NATIONAL MEDICAL SERVICES, INC., D/B/A NMS LAB'S REQUEST TO APPEAR  
TELEPHONICALLY AT FURTHER CASE MANAGEMENT CONFERENCE**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JOANNE ELIZABETH CLEVELAND,  
CYNTHIA DANIELS, LAURA FIJISAWA,  
CAROLINE HOWE, AND TRACY MOORE

Plaintiff,

vs.

COMPASS VISION, INC., NATIONAL  
MEDICAL SERVICES, INC., D/B/A NMS  
LAB'S

Defendants.

AND RELATED CASE

DEBORAH WILSON,

Plaintiff,

vs.

COMPASS VISION, INC., NATIONAL  
MEDICAL SERVICES, INC., D/B/A NMS  
LAB'S

Defendants.

Case No. 3:07cv05642 BZ

~~(PROPOSED)~~ ORDER TO APPEAR  
TELEPHONICALLY AT THE FURTHER  
CASE MANAGEMENT CONFERENCE

Date: September 15, 2008

Time: 3:00 p.m.

Dept.: G 15<sup>th</sup> Floor

Judge: Hon. Bernard Zimmerman

Case No.: 3:07cv0431 BZ

HAVING CONSIDERED Defendant's, National Medical Services, Inc., d/b/a NMS LAB'S  
Request to Appear Telephonically at Further Case Management Conference and good cause appearing.

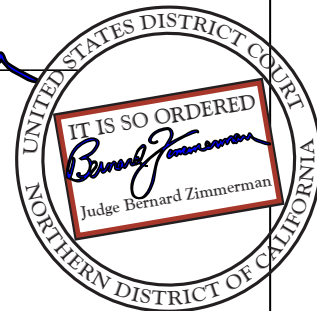
IT IS HEREBY ORDERED that Defendant, National Medical Services, Inc., d/b/a NMS  
LAB'S shall appear telephonically at the Further Joint Case Management Conference on September  
15, 2008, at 3:00 p.m. Defendant, National Medical Service, Inc., d/b/a NMS LAB'S ~~shall dial into~~  
~~the conference at the following telephone number~~ \_\_\_\_\_.

Counsel shall contact CourtCall, telephone court appearances at 1-888-882-6878, and make  
arrangements for the telephonic conference call.

Dated: Sept. 8, 2008 \_\_\_\_\_

  
Judge of the District Court

CASE NO.: 3:07cv03431 BZ



**CERTIFICATE OF SERVICE**

Matter: Cleveland v. Compass Vision, Inc.

United States District Court, Northern District Case No.: 3:07-cv-5642 BZ

I am a citizen of the United States, over the age of 18 years, and not a party to or interested in the within entitled cause. I am an employee of the Law Offices of Samuel G. Grader and my business address is 1860 Howe Avenue, Suite 350, Sacramento, California 95825. On this date, I served the following documents:

**Defendant NMS LABS' Request to Appear Telephonically at the Further Case Management Conference and Proposed Order**

\_\_\_\_\_ by placing a copy thereof enclosed in a sealed envelope with postage thereon fully prepaid. I am readily familiar with our firm's practice for the collection and processing of correspondence for mailing with the United States Postal Service and that said correspondence is deposited with the United States Postal Service at Sacramento, California, on the same day in the ordinary course of business. Said correspondence was addressed as set forth below.

XX by having a true copy of the documents listed above transmitted via email to the names, addresses via the US District Court, Northern District website.

\_\_\_\_\_ by causing personal delivery of a copy thereof to the person or the office of the person at the address listed below.

<b>Attorney for Plaintiff</b> Steven S. Kane The Kane Law Firm 402 West Broadway, Suite 400 San Diego, CA 92101 Tel: 619-446-5680 Fax: <a href="mailto:skane@thekanelawfirm.com">skane@thekanelawfirm.com</a>	<b>Attorney for Defendant Compass Vision, Inc.</b> Catherine A. Salah Gordon & Rees LLP 275 Batter Street, Suite 2000 San Francisco, CA 94111 Tx: 415-986-5900 Fx: 415-986-8054 Email: <a href="mailto:csalah@gordonrees.com">csalah@gordonrees.com</a>
Norman Perlberger Eliot Lewis Pomerantz Perlberger & Lewis 700 Stephen Girard Bldg Philadelphia, PA 19107 Tel: 215-569-8866 <a href="mailto:Perlberglaw@aol.com">Perlberglaw@aol.com</a> <a href="mailto:ehlewis@ppl-law.com">ehlewis@ppl-law.com</a>	

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on September 8, 2008, at Sacramento, California.

/S/Deborah J. Weidle  
Deborah J. Weidle